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*Attorneys for Defendants Dennis Homan,
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and Matthew Roman*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL MCNEIL,

Plaintiff,

v.

WILLIAM GITTERE, *et al.*,

Defendants.

Case No. 3:20-cv-00510-APG-CLB

**DEFENDANTS' MOTION FOR AN
EXTENSION OF TIME TO FILE
THEIR CASE MANAGEMENT
REPORT**

(FIRST REQUEST)

A November 3, 2021 order (ECF No. 14) requires the parties to submit a case management report no later than December 1, 2021. Defendants, Dennis Homan, William Gittere, Harold Wickham, and Matthew Roman, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Alexander J. Smith, Deputy Attorney General of the State of Nevada, Office of the Attorney General, hereby move Rule 6, Federal Rules of Civil Procedure, and under Local Rules IA 6-1 and 26-3 for an extension of time to file the report—from December 1, 2021, to December 13, 2021.

For the reasons outlined below, Defendants demonstrate good cause for this request. On Wednesday of last week, defense counsel flew cross-country for the Thanksgiving holiday period. On Friday morning he started displaying cold and flu-like symptoms. As

1 the day progressed his symptoms began to worsen and resemble those of the COVID-19
2 virus,* namely feeling extremely hot then cold, cough, shortness of breath, fatigue,
3 headache, sore throat, runny nose, and gastrointestinal problems, not to mention a loss of
4 hearing in the right ear. Accordingly, yesterday, another attorney had to cover for defense
5 counsel in a separate motions hearing, and he has sought extensions in other actions too.

6 Defense counsel is awaiting the results of an accurate PCR COVID-19 test taken at
7 home, where he is quarantining and resting, and results are expected by the end of the
8 business week, but his symptoms continue to worsen. Notwithstanding recovery time, a
9 positive test will result in a mandatory two-week quarantine period and work
10 administrative leave; defense counsel will continue working from home, but obviously one
11 cannot work as quickly and efficiently as normal when suffering from either COVID-19,
12 influenza, a bad cold, or a chest infection.

13 In sum, for the medical reasons outlined above, Defendants respectfully move to
14 extend the deadline to file the case management report from December 1, 2021, to
15 December 13, 2021.

16 DATED this 1st Day of December, 2021.

17 AARON D. FORD
18 Attorney General

19 By: /s/ Alexander J. Smith
20 ALEXANDER J. SMITH (Bar No. 15484)
21 Deputy Attorney General

22 *Attorneys for Defendants*

23 IT IS SO ORDERED.

24 Dated: December 2, 2021

25 
26 UNITED STATES MAGISTRATE JUDGE
27
28

* <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

CERTIFICATE OF SERVICE

I certify that I am an attorney for Defendants and that on December 1, 2021, I electronically filed the above document—**DEFENDANTS’ MOTION FOR AN EXTENSION OF TIME TO FILE THEIR CASE MANAGEMENT REPORT (FIRST REQUEST)**—via the court’s electronic filing system. Parties that are registered with the court’s electronic filing system will be served electronically.

Michael McNeil, #65311
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Plaintiff, Pro Se

/s/ Alexander J. Smith
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Deputy Attorney General

Attorney for Defendants